

Agricultural products and foodstuffs: traditional specialities guaranteed (repeal. Regulation (EEC) No 2082/92)

2005/0270(CNS) - 20/03/2006 - Final act

PURPOSE: to lay down the rules for the recognition of a “traditional speciality guaranteed” (TSG) food product of foodstuff.

LEGISLATIVE ACT: Council Regulation 509/2006/EC on agricultural products and foodstuffs as traditional specialities guaranteed.

CONTENT: in adopting this Regulation the EU has repealed Regulation 2082/92/EC, which previously governed provisions relating to the recognition and protection of traditional agricultural products and foodstuffs with special characteristics.

Legislation in this field has been prepared in recognition of the fact that the promotion of traditional products with specific characteristics could be of considerable benefit to the rural economy, particularly in less-favoured or remote areas. In order to guarantee the smooth running of the EU’s internal market economic operators must have recourse to provisions which allow them to enhance the market value of the products, whilst at the same time allowing a high level of protection for consumers of such products. One of the main purposes of this Regulation is to provide consumers with clear and succinct information regarding the specific characteristics of these foodstuffs. In addition, the Regulation offers clearer definitions. For example, the term “certificate of specific character” has been abandoned in favour of “traditional speciality guaranteed” (TSG). Further, the current Regulation defines the terms “specific character” and “traditional”. Clarification of these terms should make it easier for producers and consumers to understand the conditions of being granted a TSG label. Products have been classified as either “agricultural products intended for human consumption” (such as beer, soups, confectionaries etc) or foodstuffs. Both are listed in Annex to the Regulation.

A number of procedures have been set out regarding the inspection of products seeking a TSG label. The Regulation requires that groups of producers should, voluntarily, define specific characteristics in a product application. The option of registering a TSG has been made available to third-country producers. EU TSG registration will be subject to control arrangements based on Regulation 883/2004/EC governing “official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules”. Operators must also comply with provisions relating to product specification before marketing agricultural products and foodstuffs.

In order to qualify for protection, producers must, as a first step, register their application at a Community level. Entry in a register will provide information to both traders and consumers. The information will then be passed on to the national authorities concerned, who in turn will scrutinise each application. There will be a possibility to object should a third party deem the application to be of neither a “traditional” nor of a “specific characteristic” nature. Subsequently the Commission, for the purpose of uniformity, will scrutinise the application further.

The right to object will be granted to citizens of third countries with a legitimate interest, under the same criteria. The criteria will be evaluated in relation to the territory of the Community. Further, in order to avoid creating unfair conditions of competition, any producer, including third-country producers, should be able to use either a registered name together with a particular indication and, where appropriate, the

Community symbol associated with the indication “traditional specialities guaranteed” or a registered name.

ENTRY INTO FORCE: 19 April 2006.